

United States District Court

for the

DISTRICT OF MINNESOTA

United States v. Gary Dean Growden

Docket No. 0864 0:06CR00387-001(PJS)

Petition on Supervised Release

COMES NOW **Lisa L. Martinetto**, U.S. PROBATION OFFICER OF THE COURT, presenting an official report upon the conduct and attitude of **Gary Dean Growden** who was sentenced for Wire Fraud on May 22, 2007, by the Honorable Patrick J. Schiltz, who fixed the period of supervision at 3 years supervised release, and imposed the general terms and conditions theretofore adopted by the Court and also imposed special conditions and terms as follows: DNA collection, financial disclosure, no new credit, no employment with fiduciary responsibilities, District of Minnesota employment condition, and pay \$385,000 restitution.

On June 15, 2010, the defendant appeared before Your Honor due to violations of supervision because the defendant continued to operate Couthars, the business involved in the instant offense. An investor referred at least a dozen clients to Capital Investment Program marketed by the defendant. The clients had each paid \$5,000 into a trust that claimed to finance start up businesses and offer investors a fully collateralized, 100 percent money back guarantee against loss of principal. The defendant also reposted the Couthars website against the directive of his probation officer. He was sentenced to 3 years supervised release commencing June 15, 2010. Special conditions were also modified to include computer monitoring and search, no involvement in financial services or investments, and make restitution payments of at least \$100 a month.

On February 23, 2011, the defendant appeared before Your Honor due to violations of supervision which included attempting to arrange and finance the purchase of an Italian winery, attempting to secure investors to participate in the deal, attempting to secure investors to commercialize his inventions, and not being truthful with his probation officer or following her directives. The defendant was sentenced to 24 months custody of the Bureau of Prisons, followed by a 1-year term of supervised release. Special conditions of supervised release include DNA collection, pay \$385,000 restitution, notify USPO of financial changes, apply monies received toward restitution, financial disclosure, no new credit, no employment with fiduciary responsibilities, District of Minnesota employment condition, computer restriction and search, and no involvement in financial services, investments, loans, or provide financial information or advice.

RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS:

STANDARD CONDITION: The defendant shall answer truthfully all inquiries by the probation officer and follow the instructions of the probation officer.

STANDARD CONDITION: The defendant shall not associate with any persons engaged in criminal activity and shall not associate with any

person convicted of a felony, unless granted permission to do so by the probation officer.

SPECIAL CONDITION: The defendant must not have any involvement of any kind in any business that involves financial services or investments. The defendant must not, without the prior approval of the probation officer, loan money to anyone, borrow money from anyone, or broker loans from anyone to anyone. The defendant must not, without the prior approval of the probation officer, give anyone information or advice regarding investments or finances.

This officer has discovered the defendant has been in communication with felons in the community and in prison, without this officer's approval, to further financial ventures. He has also been providing financial information and pursuing the development, funding, and sale of his business ventures and inventions without the prior approval of this officer.

PRAYING THAT THE COURT WILL ORDER that a warrant be issued and the defendant be brought before the Court to show cause why supervision should not be revoked.

[The rationale for a warrant is contained in Section 5 of the violation report.]

ORDER OF THE COURT

Considered and ordered this 4th day
of October, 2013, and ordered filed
and made a part of the records in the above
case.

s/Patrick J. Schiltz
Honorable Patrick J. Schiltz
U.S. District Judge

I declare under penalty of perjury that
the foregoing is true and correct.

s/Lisa L. Martinetto
Lisa L. Martinetto
Senior U.S. Probation Officer
Telephone: 612-664-5376

Executed on October 3, 2013
Place Minneapolis

Approved:

s/ John G. Baskfield for
Curtis L. Stevens
Supervising U.S. Probation Officer